

ASSEMBLY BILL

No. 1229

Introduced by Assembly Member Carter

February 23, 2007

An act to add Section 466.4 to the Penal Code, relating to criminal tools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1229, as introduced, Carter. Criminal tools.

Existing law makes it a misdemeanor to possess an object, as specified, designed to open, break into, or tamper with a coin-operated machine, punishable by up to one year imprisonment in the county or a fine of up to \$1,000.

This bill would make it a misdemeanor to possess an ATM card trapping device, punishable by up to one year imprisonment in the county or a fine of up to \$1,000.

Because this bill would create a new crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 466.4 is added to the Penal Code, to read:

1 466.4. Every person who possesses an Automated Teller
2 Machine (ATM) card trapping device is guilty of a misdemeanor,
3 punishable by imprisonment in the county jail for not more than
4 one year, by a fine not exceeding one thousand dollars (\$1,000),
5 or by both a fine and imprisonment.

6 SEC. 2. No reimbursement is required by this act pursuant to
7 Section 6 of Article XIII B of the California Constitution because
8 the only costs that may be incurred by a local agency or school
9 district will be incurred because this act creates a new crime or
10 infraction, eliminates a crime or infraction, or changes the penalty
11 for a crime or infraction, within the meaning of Section 17556 of
12 the Government Code, or changes the definition of a crime within
13 the meaning of Section 6 of Article XIII B of the California
14 Constitution.